

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IRMA SANCHEZ, et al.,	)	Case No.: C 06-6280 PVT
	)	
Plaintiffs,	)	<b>CASE MANAGEMENT</b>
	)	<b>CONFERENCE ORDER</b>
v.	)	
	)	
CLIENT SERVICES, INC., et al.,	)	
	)	
Defendants.	)	

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On January 9, 2007, the parties appeared before Magistrate Judge Patricia V. Trumbull for a Case Management Conference. Based on the parties' Joint Case Management Statement, and the discussions held at the Case Management Conference,

IT IS HEREBY ORDERED that the court adopts the parties' statement of disputed factual and legal issues as set forth in the Case Management Conference Statement. Counsel for Plaintiffs mentioned that there are common law claims in the complaint that are not reflected in the parties' Case Management Conference Statement. If Plaintiffs wish to preserve those claims for trial,<sup>1</sup> Plaintiffs' counsel must meet and confer with Defense counsel and, no later than

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<sup>1</sup> Absent a motion to modify a Case Management Conference Order for good cause shown, a party waives any claim that is not included in the scope of the order. *See* FED.R.CIV.PRO. 16(b) &(e), *see also Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992) ("The scheduling order 'control[s] the subsequent course of the action' unless

February 1, 2007, file a supplemental Case Management Conference Statement setting forth the any disputed factual and legal issues related to those claims. If requested by Defense counsel, the supplemental Case Management Conference Statement shall also include any additional denials or defenses Defendants wish to preserve with regard to the additional claims.

IT IS FURTHER ORDERED that the time within which Plaintiff must serve Defendant Davis<sup>2</sup> is extended to March 5, 2007.

IT IS FURTHER ORDERED that the deadline for joinder of any additional parties, or other amendments to the pleadings, is sixty days after entry of this order.

IT IS FURTHER ORDERED that the presumptive limits on discovery set forth in the Federal Rules of Civil Procedure apply to this case.

IT IS FURTHER ORDERED that Defendants shall promptly produce to Plaintiffs any relevant insurance policies.

IT IS FURTHER ORDERED that the parties shall participate in court-sponsored mediation pursuant to the Stipulation and Order Selecting ADR Process filed herein on December 26, 2006.

IT IS FURTHER ORDERED that the following schedule shall apply to this case:

Fact Discovery Cutoff .....	9/28/07
Plaintiff's Designation of Experts with Reports .....	9/28/07
Defendant's Designation of Rebuttal Experts with Reports .....	10/5/07
Expert Discovery Cutoff .....	10/19/07
Last Day for Dispositive Motion Hearing .....	10:00 a.m. on 10/23/07
Final Pretrial Conference .....	2:00 p.m. on 1/15/08
Jury Trial .....	9:30 a.m. on 1/28/08

IT IS HEREBY ORDERED that the parties shall comply with the Standing Order for

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modified by the court. Fed.R.Civ.P. 16(e). Orders entered before the final pretrial conference may be modified upon a showing of 'good cause,' Fed.R.Civ.P. 16(b)...")

<sup>2</sup> At the Case Management Conference, Plaintiff noted that it appears he erroneously named Defendant Karla Davis as "Clara" Davis in the Complaint. Plaintiff shall file a stipulation or motion to correct the complaint within 60 days of this order.

Civil Practice in Cases Assigned for All Purposes to Magistrate Judge Patricia V. Trumbull (rev. 1/5/06), a copy of which is available from the clerk of the court,<sup>3</sup> with regard to the timing and content of the Joint Pretrial Statement, and all other pretrial submissions.

Dated: 1/9/07

  
PATRICIA V. TRUMBULL  
United States Magistrate Judge

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<sup>3</sup> A copy of Judge Trumbull's standing order is also available on the court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov) by clicking first on the "Judges" button, then on Judge Trumbull's name, then on the "Magistrate Judge Trumbull's Standing Orders" link, and finally on the bullet for "Mag Judge Trumbull's General Order for all purposes (01/5/06)."